

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION UNDER 37 C.F.R. § 1.131

1. I Jeff Ayars, am one of four joint inventors of the claims in U.S. Patent Application No. 09/300,139, filed April 27, 1999.

2. U.S. Patent No. 6,510,553, to Hazra (hereinafter "Hazra") describes a SmartStream streaming media content technology provided by RealNetworks. We submit that the portions of Hazra that relate to the SmartStream streaming media content technology, .e.g., col. 8, line 57 - col. 9, line 17, were invented by us while we were employed by RealNetworks.

Penalty of Perjury Statement

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 10001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Dated: 8/11/04

By: Jeffrey M. Ayars
Jeffrey M. Ayars